



UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

**FOX ROTHSCHILD LLP**

49 Market St.  
Morristown, NJ 07960

Joseph J. DiPasquale, Esq.  
Michael R. Herz, Esq.  
Joseph A. Caneco, Esq.  
jdipasquale@foxrothschild.com  
mherz@foxrothschild.com  
jcaneco@foxrothschild.com  
Telephone: (973) 992-4800  
Facsimile: (973) 992-9125  
*Proposed Counsel to the Debtor  
And Debtor in Possession*

Order Filed on September 13, 2022  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

In re:

ASSUNCAO BROS., INC.,  
Debtor.

Chapter 11 (Subchapter V)

Case No. 22-16159-CMG

Judge: Hon. Christine M. Gravelle

**CONSENT ORDER REJECTING INSURANCE POLICY WITH HORIZON BLUE CROSS BLUE SHIELD OF NEW JERSEY EFFECTIVE AS OF AUGUST 26, 2022**

The relief set forth on the following pages, numbered two (2) through three (3), is hereby agreed upon and **ORDERED**.

DATED: September 13, 2022

A handwritten signature in black ink, appearing to read "Christine M. Gravelle".

Honorable Christine M. Gravelle  
United States Bankruptcy Judge

Page 2

Debtor: Assuncao Bros., Inc.

Case No.: 22-16159-CMG

Caption: **Consent Order Rejecting Insurance Policy with Horizon Blue Cross Blue Shield of New Jersey Effective as of August 26, 2022**

**THIS MATTER**, having been brought before the Court upon the application of Assuncao Bros., Inc. (the “Debtor”) the debtor and debtor-in-possession in the above-captioned chapter 11, subchapter v case for entry of the within consent order rejecting a health insurance policy with Horizon Blue Cross Blue Shield of New Jersey (“Horizon”) effective as of August 26, 2022 pursuant to 11 U.S.C. § 365(a); and the Debtor and Horizon having consented to the relief set forth herein as evidenced by the signatures of their respective undersigned counsel; and for good cause shown, it is hereby

**AGREED and ORDERED** that the Debtor’s health insurance policy with Horizon ending in account number 2093 (the “Policy”) is hereby rejected as of August 26, 2022 (the “Rejection Date”) pursuant to 11 U.S.C. § 365(a); and it is further

**AGREED and ORDERED** that within thirty (30) days of entry of this Consent Order, the Debtor shall pay to Horizon the sum \$4,180.28 in full satisfaction of the monthly premium installment due from the Debtor to Horizon for the month of August 2022 prorated through the Rejection Date, and no further sums shall be due and owing from the Debtor to Horizon relating to the Policy; and it is further

**AGREED and ORDERED** that this Consent Order shall be immediately effective and enforceable upon entry; and it is further

**AGREED and ORDERED** that the Court shall retain jurisdiction to hear any matters related to the implementation and enforcement of this order.

*[Signature page follows]*

Page 3

Debtor: Assuncao Bros., Inc.

Case No.: 22-16159-CMG

Caption: **Consent Order Rejecting Insurance Policy with Horizon Blue Cross Blue Shield of New Jersey Effective as of August 26, 2022**

The parties, through their undersigned counsel, hereby consent to the form, substance, and entry of the foregoing order:

By: /s/ Eric R. Perkins  
Eric R. Perkins, Esq.  
Becker LLP  
354 Eisenhower Parkway  
Suite 1500  
Livingston, NJ 07039  
(973) 422-1100  
*Attorney for Horizon*

Dated: 9/2/2022

By: /s/ Michael R. Herz  
Michael R. Herz, Esq.  
Fox Rothschild, LLP  
49 Market Street  
Morristown, NJ 07960  
(973) 992-4800  
*Proposed Attorneys for Debtor*

Dated: 9/2/2022